

REMARKS

Reconsideration of the Office Action is respectfully requested.

The present invention is directed to a discharge lamp containing a radioactive gas for starting the lamp, which radioactive gas is enclosed in a capsule, a wall of which is transparent to the radioactive radiation.

This arrangement avoids the problem of cataphoresis, wherein unrestrained radioactive gas migrates to the negative electrode, sputters the electrode, and causes progressive consumption of the radioactive gas, thus shortening the life of the lamp.

By containing the radioactive gas in a capsule, its consumption is prevented. Additionally, the environment is protected, and the capsule can even be recycled or reused.

In accordance with a further improvement, in the case when the lamp is supplied with direct current the capsule is positioned close to the anode of the discharge lamp to facilitate starting.

Claims 1 to 6 stand rejected as being obvious under 35USC103 over Jackson U.S. patent No. 5,990,599 in view of Biro U.S Patent No. 5,739,633. This rejection is respectfully traversed.

Jackson discloses a discharge lamp having an auxiliary envelope 30 which emits ultraviolet radiation to assist in starting. The radiation is produced by a fill comprised of an inert gas in combination with mercury.

All of the claims herein require a fill of a radioactive gas, (e.g. krypton). Neither the inert gas referred to in Jackson (e.g. argon), or mercury is a radioactive gas. Furthermore, the radiation produced by radioactive gas is not ultraviolet, but rather is beta and/or gamma radiation (page 4, lines 9 to 16).

There is absolutely no suggestion in Jackson to use a radioactive gas as a starting aid. Furthermore, the Biro patent does not help in this regard, as it merely discloses the use of amalgam (i.e. metallic) members to control mercury vapor pressure. Again, there is no

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disclosure of a radioactive gas.

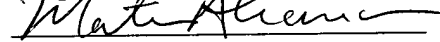
There therefore is no basis on for modifying Jackson so as to include a radioactive gas as a starting aid.

Furthermore, there is no disclosure of a radioactive gas in a capsule which is positioned close to an anode electrode as required by dependent claim 2.

New dependent claims 7 to 9 have also been added herein.

It is therefore submitted that claims 1 to 9 are directed to patentable subject matter. A Notice of Allowance is therefore respectfully solicited.

Respectfully submitted,



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